

**Exhibit F to
Plaintiff's Renewed
Motion to Compel and Response
To Defendant's Motion for
Protective Order**

**Excerpts from the deposition of
George William Jones**

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF ALABAMA
3 NORTHERN DIVISION
4

5 HAZEL M. ROBY, as Administratrix
6 of the Estate of RONALD TYRONE ROBY,
7 deceased,

8 Plaintiff,

ORIGINAL

9 CIVIL ACTION FILE

10 vs.

11 NO. 2:05CV194-T

12 BENTON EXPRESS, INC., et al.,

13 Defendants.
14

15 VIDEOTAPED DEPOSITION OF
16 GEORGE WILLIAM JONES
17

18 September 26, 2005

19 2:22 p.m.
20

21 1180 West Peachtree Street

22 Suite 900

23 Atlanta, Georgia
24

25 Lisa Fischer, CCR-B-1277, RPR, CRR

1 physically inoperable because it may have
2 broke?

3 A. No, sir.

4 Q. So you don't know specifically
5 anything about what caused this delay?

6 A. No, sir.

7 Q. Anybody at Benton Express that's told
8 you about specifically what was going on with
9 Craig Stephens in his employ that caused this
10 delay?

11 A. No, sir.

12 Q. So even without knowing whether or not
13 he was hijacked or ill or some very legitimate
14 explanation for what occurred, your saying that
15 you were going to relieve him of duty means you
16 were going to investigate further on whether or
17 not you would ultimately terminate him, or does
18 it mean you were going to terminate him?

19 A. I had been --

20 MR. BROCKWELL: Object to the form.

21 THE WITNESS: I had been
22 investigating for 24 to 48 hours.

23 Q. (By Mr. Boone) Got you.

24 A. The gentleman would have been
25 terminated. It would have been up to somebody

1 else to decide whether he would have a job in
2 the future with Benton Express, because I would
3 have terminated him.

4 Q. And my question to you is: What
5 information, other than the fact that you
6 couldn't locate him, did you discover in this
7 investigation?

8 A. None.

9 Q. So you don't have a clue what
10 happened?

11 A. Not a clue, except for my tractor, our
12 tractor and our trailer and our customer's
13 product couldn't be found. It was not at the
14 destination it should have been six and a half,
15 five hours later.

16 Q. And based on what you were personally
17 doing in your role at Benton Express, based on
18 your experience there and obviously the
19 position you hold, you would have felt the
20 decision should be termination?

21 A. Yes.

22 Q. And the only thing I'm trying to
23 do -- and I hate to repeat the question, but a
24 couple of depositions, every time -- if I asked
25 a question of was there some more information,

1 sometimes it will spark people's mind and say,
2 oh. For example, I asked him, was there
3 anything else that transpired, and he said no.
4 And then later, I think he remembered another
5 conversation. I forgot the content, but he
6 remembered another conversation. And I think
7 that happened with both.

8 And nothing's wrong with that; but I'm
9 trying to figure out before I leave here, in
10 case you say, wow, I should have told him that,
11 was there anything other than the fact that he
12 had been delayed for that time and nobody could
13 locate him when it would go into a decision to
14 terminate him? Anything else you knew about
15 the situation other than the fact we can't find
16 him?

17 A. Other than the fact that the Georgia
18 State Patrol, the Florida State Patrol, the
19 Alabama Police, and the Atlanta Police
20 Department could not locate our equipment, no.

21 Q. And as of today, nobody's ever been
22 able to shed any more light for you on what may
23 have happened to him?

24 A. No, sir. I'd love to know.

25 Q. And with that, let's say he was found

1 deathly ill. Would that affect your decision
2 on whether or not you would terminate him?

3 A. Not at that time.

4 Q. At this time, after, say you
5 investigated it later, and you found out the
6 reason why is the guy was deathly ill and
7 couldn't call us?

8 MR. BROCKWELL: Object to the form,
9 calls for speculation.

10 THE WITNESS: But that's not
11 what happened.

12 Q. (By Mr. Boone) Was the goods actually
13 late? Say, for example, if they had arrived
14 there on Sunday sometime, my understanding is
15 they was going to be starting to be delivered
16 by city deliverers starting Monday. Is that
17 what your understanding is?

18 MR. BROCKWELL: If you know what the
19 Pensacola operation was planning to
20 do with that.

21 THE WITNESS: I do not know what
22 the Pensacola operation --

23 Q. (By Mr. Boone) Do you have any idea
24 when these goods were going to need to be
25 delivered to the customers?